



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: A8613

David MONTAGUE, et al.

Appln. No.: 10/607,209

Group Art Unit: 3682

Confirmation No.: 5709

Examiner: Colby M. Hansen

Filed: June 27, 2003

For: ADJUSTABLE AND FOLDABLE STEM AND BEARINGS FOR WHEELED
VEHICLES

**AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT AND
ELECTION OF SPECIES**

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the Office Action mailed on November 2, 2004, for the
above-identified application.

I. AMENDMENT

Please renumber the claims presented in the Preliminary Amendment filed
September 26, 2003 as claims 28 -56.

Please cancel original claim 27.

Remarks

In preparing a response to the Restriction it was noted that there are two claim 27's. One
is the original method claim and the second the first new claim in the Preliminary Amendment. It
was Applicants intention to cancel all existing claims by preliminary amendment and submit a

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new set of claims. However, originally claim 27 was not cancelled and applicants by this amendment correct that error. By renumbering the claims in the preliminary amendment the correct numbering order is established. The response that follows identifies the original claims as identified by the Examiner and the properly renumbered claims.

II. RESPONSE TO RESTRICTION REQUIREMENT

Applicants elect Group I, claims, as originally numbered 27-48, 54 and 55, without traverse. This conforms to renumbered claims 28 -49, 55-56.

This conforms to the earlier restriction requirement.

As to the election of species requirement, Applicants elect Species A1, Figs. 1-5.

As to the sub species requirement, Applicants elect subspecies B1, Fig 3a.

The Applicants traverse the holding that no claim is generic. Clearly, claims 28, 55 and 56 (correct numbering) within Group I are generic to the multiplicity of species set forth by the Examiner.

The Applicants also traverse the holding that Figs. 3a and 3b are separate species. The only difference is the folding angle of the hinge.

The claims readable on Species A1 and subspecies B1 are: 27-30, 33-36, 38 - 44, 47-48, 54-55, as originally numbered. This conforms to renumbered claims 28-30, 34-37, 39-45, 48-49, 55-56.

Applicants reserve the right to file Divisional Applications directed to non-elected Groups II and III.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

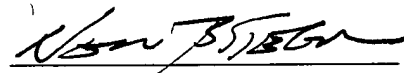
Respectfully submitted,

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